IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

THURSDAY, THE 7TH JUNE 2007 / 17TH JYAISHTA 1929

Crl.Rev.Pet.No. 1438 of 2007()

CRA.25/1999 of ADDL. SESSIONS COURT (ADHOC-I), THALASSERY
CC.492/1997 of JUDL.MAGISTRATE OF FIRST CLASS COURT-I, KANNUR

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REVN. PETITIONER: APPELLANT/ACCUSED

P.SETHULAKSHMI, D/O T.V.SREEDHARAN,
HOUSE NO.KR.94, TEN ROOM LINE,
MOONAMPEEDIKA, KANNUR.

BY ADV. SRI.K.ABDUL JAWAD

RESPONDENTS: RESPONDENT/COMPLAINANT & STATE

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1. N.S.CHANDRAN NAIR, S/O SHANKARAN,
SREE AYYAPPA, P.O.THANA, KANNUR-12(DIED DURING
THE PENDENCY OF APPEAL)

2. STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

3. JITHESH, S/O SHANKARAN, SREE AYYAPPA,
KANNOOKARA, P.O.THANA, KANNUR DISTRICT, (LEGAL
HEIR OF 1ST RESPONDENT, IMPLEADED BY THE ORDER OF
APPELLATE COURT.)

BY ADV. SRI.P.M.PAREETH
BY PUBLIC PROSECUTOR SRI.C.M.KAMMAPPU

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 07/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R. UDAYABHANU, J.

CRL.R.P. NO.1438 of 2007

Dated this the 7th day of June, 2007

ORDER

The revision petitioner stands convicted for the offence under section 138 N.I.Act and sentenced to pay a compensation of Rs.80,000/- to the complainant vide section 357 (3) Cr.P.C and in default to undergo simple imprisonment for 6 months. The revision petitioner has only sought for time to pay the amount.

2. I find that the sentence is liable to be modified. Sentence is modified to imprisonment till the rising of the court and to pay compensation as ordered by the court below. In the circumstances, the revision petitioner is granted 6 months' time from today onwards to pay the amount of compensation. The revision petitioner shall appear before the JFCM-I, Kannur on 7-12-2007.

NBW pending, if any, is to be kept in abeyance till then.

The Crl.R.P is disposed of accordingly.

Kvm/- K.R.UDAYABHANU,JUDGE.

Kvm/